

**321—24.25(231D) Admission to and transfer from a program.**

**24.25(1) *Evaluation prior to admission or transfer.*** A program shall, upon a participant's admission or transfer, evaluate each proposed participant's functional, cognitive and health status and abilities to determine the participant's eligibility for the program, including whether needed services can be provided. The evaluation shall be conducted by a health care professional or a human service professional.

**24.25(2) *Evaluation within 30 days of admission or transfer.*** After the participant's initial evaluation, a program shall evaluate each participant's functional, cognitive and health status and abilities within 30 days and then at least annually or more often as needed, to determine the participant's continued eligibility for the program and to determine any modifications to needed services. The evaluation shall be conducted by a health care professional or a human service professional.

**24.25(3) *Criteria for exclusion of participants.*** A program shall not knowingly admit or retain a participant who:

- a. Is bed-bound; or
- b. Requires routine three-person assistance with standing, transfer or evacuation; or
- c. Is dangerous to self or others, including but not limited to a participant who:
  - (1) Despite intervention, chronically wanders into danger, is sexually or physically aggressive or abusive, or displays unmanageable verbal abuse or aggression; or
  - (2) Displays behavior that places another participant at risk; or
- d. Is in an acute stage of alcoholism, drug addiction, or uncontrolled mental illness; or
- e. Is under age 18; or
- f. Requires more than part-time or intermittent health-related care; or
- g. On a routine basis has unmanageable incontinence.

**24.25(4) *Disclosure of additional admission or transfer criteria.*** A program may have additional admission or transfer criteria if disclosed in the written contractual agreement prior to admission.

**24.25(5) *Assistance with transfer.*** A program shall provide assistance to a participant and legal representative, if applicable, to ensure a safe and orderly transfer when the participant meets program transfer requirements.

**24.25(6) *Appeal of an involuntary transfer.*** Under contractual agreement, each participant shall have the right to an internal appeal of an involuntary transfer.

**24.25(7) *Visiting days.*** A program may choose to allow a visiting day(s) prior to admission.